

REMARKS

The Applicant thanks the Examiner for expanding on the previous rejections. However, the Applicant disagrees with Examiner's conclusions. Accordingly, the Applicant resubmits that neither Baseman nor Lewis, nor a proper combination of the two, teaches the claimed invention.

As previously described, the Applicant suggests that in order to combine Baseman and Lewis such that they would be comparable to the subject invention would require impermissible hindsight. A person of ordinary skill in the art would not consider combining the two references without having first read the Applicant's disclosure. Further, even if a person of ordinary skill in the art were to combine the two references, one would not arrive at the invention as claimed without knowledge of the Applicant's disclosure. Specifically, although similar elements maybe found in Baseman, essential features of the claim as a whole are neither taught nor suggested. The reasons for these conclusions are described below.

Baseman describes a method for generating a strategic business plan to improve operations and closely monitor various performance measures of an enterprise. In particular, Baseman describes extending supply chain management using financial management considerations and financial management using supply chain considerations.

Lewis describes an integrated financial data reporting system for real time data entry, assessment, and report generation. Specifically, Lewis teaches a system for receiving financial information from a plurality of different sources in varying formats and converting the information into a common format.

Accordingly, Applicant submits that a combination of Lewis and Baseman would result in a system that would allow the collation of data from multiple supply chain management systems into a single format and provide financial report generation accordingly. Clearly, this is not what is described nor claimed by the subject application.

In the Advisory Action, the Examiner states that Baseman describes "providing a software system for monitoring a cash position of the business, said software system including one or more predetermined limits defined by the financial capacity of the business" in column 2 line 33-column 3 lines 10, as well as several other paragraphs.

As discussed, Baseman describes an inventory management system for assisting with financial management decisions and vice versa. These financial management decisions are exemplified in column 6 lines 33-61. These paragraphs describe the different processes related to the decision-making, including supply chain management, extended demand planning, inventory management, procurement planning and production planning. According to these paragraphs, "a strategic business plan is generated to assist decision making and to closely monitor various performance measures of an enterprise."

Further, the paragraphs cited by the Examiner describe, in detail, how to use financial conditions to make manufacturing or inventory control decisions and vice versa. For example, assessing and minimizing foreign exchange risks when dealing with foreign customers and selecting vendors while considering tax implications. While Baseman does discuss the use of cash management to make these decisions, the term "cash management" is defined as information on sources and uses of funds to ensure liquidity to meet payment obligations. However, Baseman does not provide any explanation as to how this information is retrieved. Accordingly, problems of the prior art at the time of the invention arise in which there may be an incongruity in the information available as a result of a lag in available data.

The Examiner further stated that Baseman describes "permitting said software system to periodically connect to the electronic records to receive updated transaction information to calculate a current cash position". Specifically, the Examiner has stated that the "steps of providing information on sources and uses of funds... requires connecting to the records of cash-receivable and payment obligations to calculate the updated cash position." However, the Applicant submits that this feature is not disclosed in Baseman. Further, as described with reference to the state of the art at the time of the invention this was a problem in the art. Accordingly, it cannot be properly be assumed that Baseman would perform this step without support from further cited prior art.

The Examiner further stated that Baseman describes "calculating a cash position of the business in respect of a proposed transaction by the business". Similar to the previous argument, the Examiner has stated that "steps of providing information on sources and uses of funds... will require calculating a cash position... in respect of a proposed transaction by the business... and

BEST AVAILABLE COPY

comparing the calculated cash position of the business after said proposed transaction to said permitted cash position." However, the Applicant submits that since Baseman does not relate specifically to a system for determining a cash position of a business, this step is not required and, therefore, not described. As such, Baseman does not describe calculating how the proposed transaction will affect the cash position of the business. Rather, Baseman describes selecting one of a plurality of available options in response to certain criteria. As previously stated, it cannot properly be implied that this Baseman would teach this step without an explicit reference.

Lastly, the Examiner has stated that although Baseman does not describe "providing an indication of whether the proposed transaction will cause the business to fall outside of any of said limits defined by said financial capacity", it is disclosed by Lewis. Lewis teaches alerting users that as a result of a transaction, market change, or customer change, a financial threshold has been breached (co. 5, lines 56-61).

Although the Applicant does not acquiesce that it would be obvious to a person skilled in the art to combine Baseman and Lewis, Applicant submits that in view of the objections raised above, a combination of these teachings would not result in the invention as claimed without availability of the Applicant's teachings.

Accordingly, the Applicant requests that the obviousness rejection to independent claims 1 and 21 be withdrawn. Further, since the remaining claims are dependent upon claims 1 and 21, the Applicant submits that the rejections to these claims also be withdrawn.

Favourable consideration of the subject patent application is respectfully requested. Further, should the Examiner fail to find the arguments convincing, the Applicant hereby requests a telephone interview with the Examiner as outlined on Page 1 of this document.

Respectfully submitted,



Jonathan Pollack
Registration No. 49,065
416 862 5405

Gowling Lafleur Henderson LLP
Commerce Court West, Suite 4900
Toronto, Ontario
M5L 1J3

BEST AVAILABLE COPY